

Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed January 30, 2004. No fee is due for the addition of any new claims.

Claims 1-15 and 17-40 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-15 and 17-40. The present Response cancels claims 4, 11-15, 17-40, amends claims 1-3, 5-8 and 10, and add new claims 41-55, leaving for the Examiner's present consideration claims 1-3, 5-10, and 41-55.

In light of the amendments and remarks contained herein, reconsideration of the rejections is requested, and Applicants respectfully request an Advisory Action from the Examiner.

I. OBJECTION TO THE DRAWINGS UNDER 37 C.F.R. §1.84(p)(5)

The Examiner objected to the drawings as failing to comply with 37 C.F.R. §1.84(p)(5) because they do not include the reference sign "600" mentioned on line 5 of page 21 of the Description. The drawings have been corrected by amendment to include the reference sign "600" in Fig. 6A. Replacement drawing sheet 9, containing Fig. 6A as amended, is submitted herewith. Applicants believe that the amendment places the Drawings and Description in acceptable form, and accordingly, Applicants respectfully request the withdrawal of this objection.

II. OBJECTIONS UNDER 37 C.F.R. §1.75(a)

Claim 21

The Examiner rejected Claim 21 under 37 C.F.R. §1.75(a) because "it does not particularly point out and distinctly claim the subject matter which Applicant regards as the invention." Applicants respectfully request cancellation of Claim 21.

III. REJECTION UNDER 35 U.S.C. §102(E) OVER *LASSITER* (U.S. PAT. NO. 6,624,846)

Claims 15, 17, 18, and 21-26

The Examiner rejected Claims 15, 17, 18 and 21-26 under 35 U.S.C. §102(e) as being anticipated by *Lassiter*. Applicants respectfully request cancellation of Claims 15, 17, 18 and 21-26.

IV. REJECTION UNDER 35 U.S.C. §103(A) OVER *LASSITER*

Claims 1-14 and 27-40

The Examiner rejected Claims 1-14 and 27-40 under 35 U.S.C. §103(a) as being unpatentable over *Lassiter*. Applicants request cancellation of claims 4, 11-14, 27-40. Applicant respectfully traverses the rejection of claims 1-3 and 5-10.

According to the Examiner, “stylus 106 may be used to select a control scene 202 (‘a location within a scene’).” Nowhere does *Lassiter* teach or suggest “indicating a location using a cue within said scene” as recited in claim 1. The stylus of *Lassiter* selects a location within the scene displayed in the representation, for example by touching the stylus to the representation. It cannot be used within the scene itself to indicate a location. According to *Lassiter*, “the user interface device 104 includes a portable computing device 105, as well as a stylus 106 that can be used to contact a touchscreen...of the portable computing device 105.” See col. 6, lines 4-10. Nowhere does *Lassiter* teach or suggest “indicating a location using a cue within said scene” as recited in claim 1.

(Examiner should note that “image” as amended in claim 1 can include a still image captured by a video camera and/or a moving image captured by a video camera.)

Lassiter fails to teach or suggest all of the limitations of claims 1, therefore *Lassiter* cannot render claim 1 obvious under 35 U.S.C. §103(a). Applicants respectfully submit that claim 1 is patentable over

Lassiter. Claims 2, 3, 5-10 ultimately depend from claim 1 and are therefore patentable for at least the reasons given for the patentability of claim 1. Accordingly, Applicants respectfully request that the rejection of claims 1-3 and 5-10 under 35 U.S.C. §103(a) be withdrawn.

V. REJECTION UNDER 35 U.S.C. §103(A) OVER *LASSITER* IN VIEW OF *FITZMAURICE*

Claims 19 and 20

The Examiner rejected Claims 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over *Lassiter* in view of *Fitzmaurice*. In the interest of furthering prosecution, Applicants request cancellation of claims 19 and 20. However, Applicants may seek to claim cancelled matter in a continuation application.

VI. ADDITIONAL CLAIMS

Claims 41-55

The newly added claims are, it is submitted, allowable over the cited art.


VII. CONCLUSIONS

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response which may be required.

Respectfully submitted,

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